

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ROMMEL FUENTES,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-cv-458 (RDA/LRV)
)	
UBER TECHNOLOGIES, INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter comes before the Court on Plaintiff Rommel Fuentes’ First Motion for Default Judgment (Dkt. 25), Supplemental Motion for Default Judgment (Dkt. 49), and U.S. Magistrate Judge Lindsey R. Vaala’s Report and Recommendation (Dkt. 72) (“R&R”).¹ Magistrate Judge Vaala recommends that default judgment be denied. Dkt. 72. Plaintiff’s only remaining claim is a negligence claim against Defendant Kehinde Idogho Micah. *Id.* at 5. Despite asserting a claim for negligence, Plaintiff’s claim against Michah is predicated entirely on intentional acts by Micah. *Id.* at 12. Accordingly, Magistrate Judge Vaala recommended denying the motion and supplemental motion for default judgment. *Id.* at 13.

Pursuant to Federal Rule of Civil Procedure 72(b)(2), the deadline for submitting objections to Magistrate Judge Vaala’s R&R was March 11, 2025. To date, no objections have been filed. After reviewing the record and Magistrate Judge Vaala’s R&R, and finding no clear error,² the Court hereby APPROVES and ADOPTS the R&R (Dkt. 72); and it is

¹ Plaintiff and the Uber Defendants have settled the disputes between them and the only remaining claim in this action is the negligence claim against Defendant Kehinde Idogho Micah. Dkt. 71.


² *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a Magistrate Judge’s Recommendation, the Court

FURTHER ORDERED that Plaintiff's Motions for Default Judgment (Dkts. 25, 49) are DENIED; and it is

FURTHER ORDERED that, on or before **Friday, April 4, 2025**, Plaintiff file either a notice of dismissal of his claims against Defendant Micah or file a status report regarding how he intends to proceed in this matter.

It is SO ORDERED.

Alexandria, Virginia
March 13, 2025

/s/ 

Rossie D. Alston, Jr.
United States District Judge

“need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’”).